

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

ZACHERY ETKA,

Petitioner : CIVIL ACTION NO. 3:17-0766

v : (JUDGE MANNION)

BARRY SMITH :

Respondents :

**ORDER**

For the reasons set forth in the Memorandum of this date, **IT IS**

**HEREBY ORDERED THAT:**

1. The above captioned petition for writ of habeas corpus is **DENIED**.
2. The Clerk of Court is directed to **CLOSE** this case.
3. There is no basis for the issuance of a Certificate of Appealability. See 28 U.S.C. §2253(c).

*s/ Malachy E. Mannion*  
**MALACHY E. MANNION**  
**United States District Judge**

**Dated: December 2, 2019**

17-0766-01-ORDER